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9 **UNITED STATES DISTRICT COURT FOR THE**  
10 **EASTERN DISTRICT OF CALIFORNIA**

11 UNITED STATES, *ex rel.*, ROBERT A. )  
CERVANTES, )

12 Plaintiffs, )

13 v. )

14 DELAINE EASTIN, individually and as )  
15 Superintendent of Public Instruction; )  
CALIFORNIA DEPARTMENT OF )  
16 EDUCATION, a department of the State of )  
California; and COLEGIO DE AMNISTIA, )  
17 INC., a California Corporation, )

18 Defendants. )  
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CASE NO. CV-F-97-5248 OWW (SMS)

**STIPULATION FOR DISMISSAL OF  
ACTION WITH PREJUDICE; AND  
ORDER THEREON**

20 The parties of record in the above-entitled action have executed a Settlement Agreement and  
21 General Release of Claims with respect to the entire action herein. Pursuant to Rule 41(a)(1) of the  
22 Federal Rules of Civil Procedure, the parties of record hereby stipulate that the entire action herein be  
23 dismissed with prejudice. Except for what is contained in the Settlement Agreement and General  
24 Release of Claims executed by the parties of record, each side will bear their own costs and attorneys'  
25 fees.

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Defendant Colegio De Amnistia, Inc., has never appeared in this action and Plaintiff dismisses the action as to that Defendant.

DATED: June 22, 2006

Respectfully Submitted

/S/ BRIAN C. LEIGHTON  
BRIAN C. LEIGHTON, Attorney for  
Plaintiff Robert A. Cervantes

DATED: June 27, 2006

Respectfully Submitted

/S/ DONALD LESCOULIE  
DONALD LESCOULIE, Attorney for  
Plaintiff Robert A. Cervantes

DATED: June 23, 2006

STEVENS & O'CONNELL

/S/ DAVID A. CHEIT  
DAVID A. CHEIT, Attorney for  
Defendants, California Department of  
Education and Delaine Eastin

### ORDER

Based upon the parties Stipulation that this entire cause of action be dismissed with prejudice, IT IS HEREBY ORDERED that the above-entitled action be dismissed with prejudice with respect to all parties, with each side to bear its own costs and attorneys' fees, save and except for what is contained in the Settlement Agreement and General Release of Claims.

IT IS SO ORDERED.

**Dated: June 28, 2006**  
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/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE